BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

----- In the Matter of -----)

DIECA COMMUNICATIONS, INC.,)
dba COVAD COMMUNICATIONS COMPANY)

Notice of Failure to Comply
With Hawaii Revised Statutes
and Commission's Regulations;
Order to Show Cause Why
Respondent's Operating
Authority Should Not Be
Suspended or Revoked.

DOCKET NO. 03-0333

DECISION AND ORDER NO. 20738

DIV OF CONSUMER ADVOCACY
DEPT. OF CONSUMER AFFAIRS
CONSUMER AFFAIRS

Filed Jan. 6, 2004 At 8:00 o'clock A. .M.

Chief Clerk of the Commission

ATTEST: A True Copy
KAKEN HIGASHI
Chief Clerk, fublic Utilities
Commission, State of Hawaii.

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----- In the Matter of -----)

DIECA COMMUNICATIONS, INC.,)
dba COVAD COMMUNICATIONS COMPANY)

Notice of Failure to Comply With Hawaii Revised Statutes and Commission's Regulations; Order to Show Cause Why Respondent's Operating Authority Should Not Be Suspended or Revoked. Docket No. 03-0333

Decision and Order No. 20738

DECISION AND ORDER

The commission ordered DIECA COMMUNICATIONS, INC., dba COVAD COMMUNICATIONS COMPANY ("Respondent") to appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on November 26, 2003 to show cause why Respondent's certificate of authority should not be suspended or revoked for failure to file an annual financial report ("AFR") for 2001, pursuant to Hawaii Administrative Rules § 6-80-91. On November 24, 2003, Respondent filed its 2001 AFR.

The commission finds that Respondent has fully complied, although belatedly, with the commission's applicable laws, rules, and regulations, and concludes that Order No. 20534, filed on October 27, 2003, should be vacated.

THE COMMISSION ORDERS that Order No. 20534 is vacated and this docket is closed.

DONE at Honolulu, Hawaii this 6th day of January, 2004.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Child P. Caliboga Chairman

Wayne H. Kimura, Commissioner

Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Catherine P. Awakuni Commission Counsel

03-0333.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No. 20738</u> upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY P. O. Box 541 Honolulu, HI 96809

DIECA COMMUNICATIONS, INC., dba COVAD COMMUNICATIONS COMPANY 3420 Central Expressway Santa Clara, CA 95051

GREGG HYDE DIECA COMMUNICATIONS, INC., dba COVAD COMMUNICATIONS COMPANY $600~14^{\text{TH}}$ Street NW, Suite 750 Washington, DC 20005

Karen Higashi

DATED: January 6, 2004